

Remarks

Applicants respectfully request reconsideration of this application as amended.

Claims 1-4, 6-9, 13 and 16-20 have been amended. Claim 5 has been cancelled. No claims have been added. Therefore, claims 1-24 are present for examination.

35 U.S.C. §101 Rejection

The Examiner has rejected claims 1-24 under 35 U.S.C. §101, because the claimed invention is directed to non-statutory subject matter. Applicants submit that claims 1, 6 and 9 have been amended to include a significant recitation of the data processing system or calculating computer. Claim 1, for example, has been amended to recite "a transaction coordinator on a client" and "a transaction manager on a server."

The rejection of claims 13, 16 and 20 was withdrawn by the Examiner during a teleconference on December 19, 2005. Accordingly, applicants respectfully request that the rejection of claims 1-24 be withdrawn.

35 U.S.C. §112 Rejection

The Examiner has rejected claims 5, 10 and 24 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 5, 10 and 24 have been amended to obviate this rejection.

35 U.S.C. §102 Rejection*WO*

The Examiner has rejected claims 1-24 under 35 U.S.C. §102 (e) as being anticipated by WO 00/65506, ("WO").

First, claim 1 recites "receiving information regarding two or more transactions . . . representing discrete transactions for two or more resource items." WO does not suggest two or more transactions or two or more resource items. WO at page 8, lines 16-17 discloses that "the host server receives a tentative seat selection from the client node." The tentative selection is only for one transaction, and not two or more transactions, as recited by claim 1.

Second, claim 1 recites that "the two or more resource items are from different service providers." WO does not disclose that the resource items are from different service providers. WO at page 8, lines 11-13 discloses that "a host server receives a venue request . . . [and] the host server serves a seating chart for that venue to the requesting client node." Therefore, WO does not offer resource items from different service providers, as recited by claim 1.

For at least the reasons stated above, claim 1 is believed to be allowable over the reference. Claims 6, 13 and 16 and contain one or more of the limitations discussed above, among others, and are therefore believed to be allowable. The remaining claims are dependent upon one of the above claims and are believed to be allowable therefore as well as for the express limitations set forth in each claim, respectively.

Claims 9 and 20 recite "soliciting a non-mutually exclusive hold on a resource item . . . , wherein the non-mutually exclusive hold is a hold that allows multiple clients to simultaneously maintain a hold on the resource item." WO does not disclose non-mutually exclusive holds. WO at page 9, lines 18-21 discloses that "once the tentative reservation is placed on the seats, all subsequent users accessing the server will be served the seating chart with the tentative seats shown in a representation different from both the representation of sold seats and the representation of unsold seats." WO at page 9, lines 30-32 further discloses that if payment information is not verified, "the representation of the [tentatively held] seat on subsequently served seating charts [is returned to] the unsold representation." WO at page 2, lines 5-7 further discloses that the "tentatively select[ed] seat[s] . . . [are] designated as reserved on subsequent servings of the seating chart." Accordingly, the tentative reservation in WO is not the same as the non-mutually exclusive hold, as recited by claims 9 and 20. Therefore, for at least the reason stated above, claims 9 and 20 are believed to be allowable over the reference.

Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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